

1 **ROBERT L. MEZZETTI II, 114282**  
2 **CAITLIN G. WHITWELL, 238013**  
3 **MEZZETTI LAW FIRM, INC.**  
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6 (408) 279-8400

Attorneys for Plaintiff  
JOSEPH C. MONTANA JR.

7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9 SAN JOSE DIVISION

10  
11  
12 JOSEPH C. MONTANA, JR. )

13 Plaintiff, )

14 v. )

15 KIM MOSES, HERITAGE AUCTION, INC., )  
16 and DOES 1 through 25 inclusive, )

17 Defendants. )  
18  
19

Case No. C 08 02324 BZ

REQUEST FOR DISMISSAL OF ACTION  
WITHOUT PREJUDICE

20 TO THE CLERK OF THE COURT:

21 Plaintiff requests that this matter be dismissed, in it's entirety, without prejudice.

22 DATED: July 30, 2008

MEZZETTI LAW FIRM, INC.

23  
24 BY

25 ROBERT L. MEZZETTI II  
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